

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Ethics and Elections Committee

BILL: SB 1980

SPONSOR: Senator Sebesta

SUBJECT: Florida Commission on Tourism

DATE: April 1, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barrett</u>	<u>Cooper</u>	<u>CM</u>	Favorable
2.	<u>Babington</u>	<u>Rubinas</u>	<u>EE</u>	Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 1980 increases the number of tourism-industry-related members on the Florida Commission on Tourism by adding a member of the restaurant industry. The bill also revises the financial disclosure requirements for commission members, and deletes the requirement that the commission establish a statewide nature and heritage tourism advisory committee.

The bill amends s. 288.1223 of the Florida Statutes.

The bill repeals s. 288.1224(11) of the Florida Statutes.

The bill provides an effective date.

II. Present Situation:

The Florida Commission on Tourism (commission) and VISIT FLORIDA oversee the promotion of the tourism industry for the state. Housed within the Governor's Office of Tourism, Trade, and Economic Development (OTTED), the commission is responsible for making policy decisions to promote and develop tourism throughout the state.

The commission, which was created by the Legislature in 1992, contracts with either the Florida Tourism Industry Marketing Corporation or VISIT FLORIDA, a direct-support organization created by the Legislature in 1996, to carry out the programs and activities identified in the commission's four-year marketing plan. VISIT FLORIDA is a public-private partnership, and serves as an umbrella organization under which Florida's tourism promotional campaigns are coordinated. Its mission is to market and facilitate travel to and within Florida for the benefit of the state's residents, economy, and travel and tourism industry. VISIT FLORIDA's primary

responsibilities include administering domestic and international advertising campaigns designed to promote the entire state as a tourism destination, conducting domestic and international promotional activities, managing the state's welcome centers, and conducting research on tourism and travel trends.

Membership, Florida Commission on Tourism

The membership of the Florida Commission on Tourism currently consists of 31 members. Seventeen members are appointed by the Governor from the general tourism industry, and 14 additional members, also appointed by the Governor, must come from the following tourism industry areas:

- 3 representatives from the statewide rental car industry;
- 4 representatives from tourist-related statewide associations, including those that represent hotels, campgrounds, county destination marketing organizations, and attractions;
- 2 representatives from county destination marketing organizations;
- 1 representative from the cruise industry;
- 1 representative from an automobile and travel services membership organization;
- 1 representative from the airline industry;
- 1 representative from the youth travel industry; and
- 1 representative from the space tourism industry.

The commission is chaired by the Governor and includes two ex officio members, a member of the Senate appointed by the President of the Senate and a member of the House of Representatives appointed by the Speaker of the House of Representatives.¹

Financial Disclosure

Public officers, employees and appointees are required by law to file one of two financial disclosure statements with the Florida Commission on Ethics. Section 2, Art. VIII, of the State Constitution requires "all elected constitutional officers and candidates for such offices and, as may be determined by law, other public officers, candidates, and employees" to file a Full and Public Statement of Financial Interests.² Such persons must report the *total dollar value* of the following: net worth, assets including household goods and personal effects, liabilities in excess of \$1,000, primary and secondary sources of income, and interests in specified businesses including positions held and ownership.³

Section 112.3145(2)(a), F.S., requires "each state or local officer and each specified state employee" to file a Statement of Financial Interests each year.⁴ "State officer" is defined, in part,

¹ Section 288.1223(2) (a), F.S.

² Implemented in s. 112.3144, F.S. The following also are required to file Full Financial Disclosure: all elected constitutional officers and candidates for such offices; Jacksonville mayor and City Council Members; judges of compensation claims; Duval County School Superintendent; Florida Housing Finance Corporation Board of Directors; Florida Prepaid College Board; and the Florida Commission on Tourism.

³ Florida Commission on Ethics website, www.ethics.state.fl.us, Form 6.

⁴ Florida Commission on Ethics website, www.ethics.state.fl.us, Form 1.

as an appointed member of each board, commission, authority, or council having statewide jurisdiction, excluding a member of an advisory body.”⁵ Members must report primary and secondary sources of income, assets, liabilities, and interests in specified businesses including positions held and ownership, *that exceed specified percentage or dollar thresholds* outlined in s. 112.3145, F.S.⁶

Section 288.1223(2) (i), F.S., requires each member of the Florida Commission on Tourism to annually file the Full Financial Disclosure.

VISIT FLORIDA, New Product Development Department

VISIT FLORIDA’s New Product Development (NPD) department’s primary responsibility is to promote nature, heritage, cultural, and rural tourism. The NPD Council is comprised of over fifty tourism industry leaders and consists of four committees: NPD Council Steering, Cultural Heritage Tourism, Nature-based Tourism and Rural Tourism. NPD supports a number of programs and publications. The following are some examples:

- *Undiscovered Florida* is a publication that highlights different attractions, activities, cultural communities and events, and natural destinations throughout the state.
- *Culturally Florida* and *History & the Arts* are two publications that highlight museums, entertainment, concerts, science, diversity, and histories of peoples and areas throughout the state.
- *Rural County Pilot Projects* assist rural counties in developing and marketing their tourism product. County-specific brochures are published highlighting various natural sites and outdoor activities.
- *Worth the Drive* features themed tours, road tours, city tours, and day trips.
- Numerous site and activity specific brochures including guides to archeological sites, gardens, springs, lakes, camping, kayaking, and biking throughout the state.

VISIT FLORIDA, Nature and Heritage Tourism Advisory Committee

In 1996, the Legislature amended s. 288.1224, F.S., to require the commission to establish a statewide advisory committee to assist in the promotion and protection of natural, coastal, historical, and cultural tourism assets. Duties of the committee include: developing nature and heritage tourism policies, coordinating government and private interests in nature and heritage tourism, and integrating nature and heritage tourism marketing strategies. The representatives of the committee have changed over the years, but currently members are appointed by the commission chair and include a representative from each of the following:

- Department of Agriculture;
- Department of Environmental Protection;
- Department of Community Affairs;
- Department of Transportation;
- Department of State;

⁵ Section 112,3145(1)(c)2., F.S.

⁶ Florida Commission on Ethics website, www.ethics.state.fl.us, Form 1.

- Florida Greenways Coordinating Council;
- Florida Fish and Wildlife Conservation Commission;
- Enterprise Florida, Inc;
- Rural and non-rural economic development organizations;
- Two not-for-profit environmental organizations;
- Regional nature-based or heritage tourism committees; and
- Private sector tourism.

III. Effect of Proposed Changes:

Section 1. Florida Commission on Tourism; creation; purpose; membership. [amending subsection (2) of s. 288.1223, F.S.]

- a. Increases the number of tourism-industry-related members on the Florida Commission on Tourism from 14 to 15, by increasing the number of representatives from tourist-related statewide associations from 4 to 5. The additional member is required to represent restaurants.
- b. Revises financial disclosure requirements for commission members, providing that a member who is not otherwise required to file a Full and Public Statement of Financial Interests, pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, F.S., to instead file a Statement of Financial Interest, pursuant to s. 112.3145, F.S. VISIT FLORIDA reports that members of similar boards and commissions are required to file the statutory, rather than the constitutional, financial disclosure.

Section 2. Powers and duties. [repealing s. 288.1244(11), F.S.]

Repeals section requiring the commission to establish a nature and heritage statewide advisory committee to assist in the promotion of the protection of natural, coastal, historical, and cultural tourism assets. VISIT FLORIDA reports that their current committee structure represents the interests of nature-based and heritage tourism, and that they are actively involved in the promotion of nature-based and heritage tourism.

Section 3. Effective date.

This act shall take effect July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Florida Commission on Tourism could potentially reduce costs because it will no longer be required to maintain a statewide advisory committee on nature and heritage tourism.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
